



EV 404053058 US

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PTO/SB/21 (04-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/763,924
		Filing Date	January 23, 2004
		First Named Inventor	Russell D. Bailey
		Art Unit	3643
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	2639-000002/US

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Form 1449</b>
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	<b>Return Postcard</b>
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Bryan K. Wheelock Harness, Dickey & Pierce, P.L.C.
Signature	
Date	June 28, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Bryan K. Wheelock	Express Mail Label No.	EV 404053058 US
Signature		Date	June 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HD&P Docket No. 2639-000002/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bailey

Serial No.: 10/763,924

Filed: January 23, 2004

Art Unit: 3643

Examiner:

For: Self-Righting Waterfowl Decoy with Integrated Anchor and Locking Mechanism

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In order to comply with 37 CFR 1.97 and 1.98, a copy of Form PTO-1449 is attached.

In accordance with MPEP 609 and 707.05(b), Applicant respectfully requests that each document listed be given thorough consideration and that the Examiner cite each document of record in the prosecution history of the present application by initialing Form PTO-1449 next to each document. Applicant requests such initialing even if the Examiner does not consider: (1) a listed document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicant makes this request so that each document becomes cited on the face of a patent issuing on the present application.

Applicant submits the present Information Disclosure Statement in compliance with the duty to disclose information material to patentability under 37 CFR 1.56, but by listing such documents Applicant is not admitting that such documents are necessarily

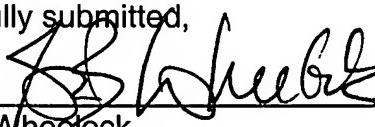
relevant or prior art. Applicant intends no representation that the listed documents represent the results of a complete search. Applicant anticipates that the Examiner, in the normal course of examination, will make an independent search to determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of such search, will review for relevance every document listed on the attached Form even if not initialed.

Applicant earnestly solicits early and favorable consideration. If the Examiner should have any questions with regard to this filing, he or she should contact the undersigned attorney at (314) 726-7500.

Dated: 28 JUNE 2004

Respectfully submitted,

BY:

  
Bryan K. Wheelock

Reg. No. 31,441

Attorneys for Applicant



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FORM PTO-1449 (Based on Form PTO-1449)		ATTORNEY DOCKET NO.	SERIAL NO.
		2639-000002/US	10/763,924
		APPLICANT	
		Russell D. Bailey	
		FILING DATE	GROUP
		January 23, 2004	3643

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITIGATION**  
(Use several sheets if necessary)

Sheet 1 of 2

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		1,789,649	01/1931	Gazecki et al.		
2.		1,951,429	03/1934	Massie		
3.		2,589,913	03/1952	Wenner		
4.		2,747,814	05/1956	Taylor		
5.		2,917,857	12/1959	Muszynski		
6.		3,079,719	03/1963	Muszynski		
7.		4,340,192	07/1982	Burris, III		
8.		4,674,219	06/1987	Chargo et al.		
9.		4,757,630	01/1988	Torberg		
10.		4,827,653	05/1989	Sewell		
11.		4,826,099	05/1989	Johnson		
12.		5,893,230	04/1999	Koltoniak		
13.		5,941,008	08/1999	Schmidt et al.		
14.		5,992,078	11/1999	Willis		
15.		6,374,529	04/2002	Petroski et al.		
16.		6,487,811	12/2002	Barrett		

**FOREIGN PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.							

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



TRADEMARK HDP-1449 (Based on Form PTO-1449)

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INFORMATION DISCLOSURE CITIGATION  
(Use several sheets if necessary)

Sheet 2 of 2

ATTORNEY DOCKET NO.	SERIAL NO.
2639-000002/US	10/763,924
APPLICANT	
Russell D. Bailey	
FILING DATE	GROUP
January 23, 2004	3643

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

Ref. Desig.	Examiner's Initials	
1.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.